

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District Of Texas

FILED

UNITED STATES DISTRICT COURT

MAY 1 2019

for the

Southern District of Texas

David J. Bradley, Clerk

United States of America

v.

Julio Cesar HERNANDEZ-Lopez
(YOB: 2000, COB: U.S.)

Case No.

M-19-0986-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of CS) April 30, 2019 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. § 1324(a)(1)(A)(ii)

8 U.S.C. § 1324(a)(1)(A)(v)(I)

Knowing or in reckless disregard of the fact that Jose DONIS-Menendez (COB: Guatemala) and Marvin Saul LOPEZ-Molina (COB: El Salvador), and three (3) others who were aliens, had come to, entered, or remains in the United States in violation of law, transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law; to wit: transportation by vehicle near Sullivan City, Texas.

This criminal complaint is based on these facts:

SEE "ATTACHMENT A"

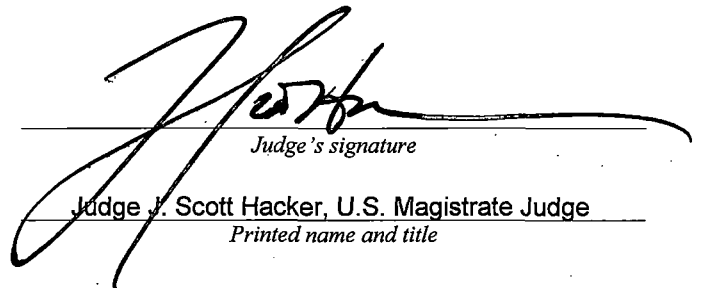
✓ Continued on the attached sheet.



Complainant's signature

Javier Fabela, HSI TFO

Printed name and title

Approved by Amy L. Greenbaum
Sworn to before me and signed in my presence. 5/1/19Date: 5/1/2019City and state: McAllen, Texas

Judge's signature

Judge J. Scott Hacker, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

I, Javier Fabela, am a Task Force Officer (TFO) assigned to the United States Homeland Security Investigations (HSI), and have knowledge of the following facts:

1. On April 30, 2019, Sullivan City Police Officer E. Lozano conducted a traffic stop on a blue 2005 Chevrolet Tahoe bearing Texas license plates GYM6429 resulting in a 1 on 5 human smuggling case. The driver Julio Cesar HERNANDEZ-Lopez was taken into custody by Sullivan City Police Department and charged with alien smuggling. The five (5) undocumented aliens (UDAs) (2 Guatemala, 2 El Salvador 1 Mexico) were transported to the McAllen Border Patrol Station for processing. HSI TFOs J. Fabela and HSI TFO Jaime Perez responded and conducted an interview with the driver.
2. Post-Miranda, HERNANDEZ-Lopez provided the following non-verbatim statement:
3. HERNANDEZ-Lopez stated that he made arrangements to transport the UDAs from Los Ebanos, Texas to an unknown location. HERNANDEZ-Lopez. said that he was going to receive \$500.00 United States dollars (USD) after successful delivery of the UDAs. HERNANDEZ-Lopez stated that he met up with the smuggler at a predetermined location in Penitas, Texas. There he was instructed by the smuggler to wait until the pick-up area was free of law-enforcement presence. HERNANDEZ-Lopez stated that he received directions via WhatsApp from the smuggler providing him the pickup location for the UDAs. HERNANDEZ-Lopez. said that after the UDAs boarded his vehicle, he travelled a short distance before being stopped by police officers. HERNANDEZ-Lopez admitted to knowing that the individuals in his vehicle were undocumented aliens.
4. Agents identified Marvin Saul LOPEZ-Molina and Jose Armando DONIS-Menendez as material witnesses.
5. Post-Miranda, LOPEZ-Molina provided the following non-verbatim statement:
6. LOPEZ-Molina stated he is a citizen of El Salvador and that he made arrangements to pay \$10,000.00 USD for him to be smuggled to New York City, New York. LOPEZ-Molina stated that he made an initial payment of \$3,000.00 USD to a smuggler in El Salvador. LOPEZ-Molina stated that he was smuggled into the United States in a group of 10 subjects. LOPEZ-Molina stated he was guided via cellular telephone to a white house where he spent a few hours. LOPEZ stated that after a few hours, a blue sports utility vehicle (SUV) showed up and the group got into it. LOPEZ-Molina described the driver of the SUV as a young skinny male. LOPEZ stated that the driver told him to lie down below the rear seats.
7. LOPEZ-Molina positively identified HERNANDEZ-Lopez in a photo lineup as the driver of the load vehicle.
8. Post Miranda, DONIS-Menendez provided the following non-verbatim statement:

9. DONIS-Menendez that he is a citizen of Guatemala and that he made an initial payment of \$3,500 USD to be smuggled to New Jersey. DONIS-Menendez stated that he was guided by a smuggler to an abandoned white house. DONIS-Menendez stated that approximately four hours he received a phone call informing him that a blue SUV was going to transport them to the next location. DONIS-Menendez described the driver as a skinny, light-complexioned male. DONIS-Menendez stated that the driver ordered him to get into the vehicle.
10. DONIS-Menendez positively identified HERNANDEZ-Lopez in a photo lineup as the driver of the SUV that was transporting the group.